

SENATE BILL 802  
By Person

AN ACT to amend Tennessee Code Annotated, Title 55 and Title 56, relative to insurance.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 56-7-1202, is amended by deleting the section in its entirety and by substituting instead the following:

For purposes of this part, the following definitions shall apply:

(1) "Bodily Injury" means bodily harm, sickness, disease, loss of consortium, loss of services, death, or any and all compensatory damages generally recoverable from a tortfeasor.

(2) "Business" means trade, profession, or occupation.

(3) "Collectible" means collected.

(4) "Compensatory Damages" means any and all damages generally recoverable from a tortfeasor other than punitive or exemplary damages.

(5) "Named Insured" means a person or entity in whose name the motor vehicle policy is issued.

(6) "Insured" for uninsured motorist purposes means any person entitled to protection under this part or any policy, policies, or coverage issued pursuant thereto, including any person related by blood, marriage, or adoption, including a ward or foster child, who is a household resident of the named insured.

\*10223385\*

10223385

\*000623\*

\*00062324\*

(7) "Motor Vehicle" means every vehicle which is self-propelled and/or every vehicle which is propelled by electric power, or any part thereof.

(8) "Occupant" means any individual in, on or about a motor vehicle.

(9) "Operator" means every person who drives or is in actual physical control of a motor vehicle or who is exercising control over or steering a vehicle being towed by a motor vehicle.

(10) "Owner" means a person who holds the legal title of a vehicle, or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof, with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the continual vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such a conditional vendee or lessee or mortgagor shall be deemed to be owner for the purpose of this chapter.

(11) "Pedestrian" means any person afoot, or who is not an occupant as defined herein.

(12) "Underinsured Motor Vehicle" means the same as uninsured motor vehicle.

(13) "Uninsured Motor Vehicle" means a motor vehicle whose ownership, maintenance, or use has resulted in the bodily injury or damage to property of an insured, and for which the sum of the limits of liability insurance available to the insured under all valid and collectible insurance policy or policies, bonds, and securities applicable to the bodily injury or damage to property is less than the applicable limits of uninsured motorist coverage provided to the insured under the policy against which the claim is made. However, "uninsured motor vehicle" does not include a motor vehicle:

(a) Owned by any governmental entity;

(b) Designed for use mainly off of public roads except while on public roads; or

(c) While located for use as a residence or premises.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.